

1 HON. ROBERT J. BRYAN
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5 UNITED STATES DISTRICT COURT
 6 WESTERN DISTRICT OF WASHINGTON
 7 AT TACOMA

8 UNITED STATES OF AMERICA, } No. CR23-5034-RJB
 9 } Plaintiff, }
 10 } ORDER GRANTING DEFENSE
 11 } MOTION TO CONTINUE TRIAL
 12 } DATE AND PRETRIAL MOTIONS
 13 } DUE DATE
 14 }
 15 SAKIRU O. AMBALI, }
 16 }
 17 } Defendant.
 18 }

19 THE COURT has considered Mr. Ambali's motion to continue the trial date and
 20 pretrial motions deadline and the facts and circumstances described therein, which are
 21 hereby incorporated as findings of fact, and finds that:

22 (a) taking into account the exercise of due diligence, a failure to grant a
 23 continuance in this case would deny counsel for the defendant the reasonable time
 24 necessary for effective preparation due to counsel's need for more time to review the
 25 evidence, consider possible defenses, and gather evidence material to the defense, as set
 forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

26 (b) a failure to grant such a continuance in this proceeding would likely result in
 27 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

28 (c) the additional time requested is a reasonable period of delay, as the defendant
 29 has requested more time to prepare for trial, to investigate the matter, to gather evidence
 30 material to the defense, and to consider possible defenses;

1 (d) the case is sufficiently complex that it is unreasonable to expect adequate
 2 preparation for pretrial proceedings or the trial itself within the current trial schedule, as
 3 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii);

4 (e) the ends of justice will best be served by a continuance, and the ends of
 5 justice outweigh the best interests of the public and the defendant in any speedier trial,
 6 as set forth in 18 U.S.C. § 3161(h)(7)(A);

7 (f) the additional time requested between the current trial date of October 24,
 8 2023, and the new trial date is necessary to provide counsel for the defendant the
 9 reasonable time necessary to prepare for trial, all of the facts set forth above; and

10 (g) that the period of delay from the date of this motion to the new trial date is
 11 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

12 IT IS THEREFORE ORDERED that the trial date in this matter shall be
 13 continued to June 3, 2024, and that pretrial motions shall be filed no later than April 23,
 14 2024. A pretrial conference shall be held on May 23, 2024, at 8:30 a.m.

15 DONE this 13th day of September 2023.

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18 ROBERT J. BRYAN
 19 United States District Judge

20 Presented by:

21 s/ John R. Carpenter
 22 Assistant Federal Public Defender
 23 Attorney for Sakiru Ambali